IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 13213 of 2007(W)

PETITIONER:

THE CALICUT CONSTRUCTION LABOUR CONTRACT CO-OPERATIVE SOCIETY LTD.NO.D 2286, PAVAMANI ROAD, KOZHIKODE REPRESENTED BY ITS PRESIDENT.

BY ADV. SRI.M.SASINDRAN
SRI.TOJAN J. VATHIKULAM

RESPONDENTS:

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1. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), KOZHIKODE.

2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), KOZHIKODE.

3. THE EXECUTIVE ENGINEER, PWD (ROADS) DIVISION, PALAKKAD.

BY SR.G.P. SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.13213 of 2007

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Dated this the 13th day of April, 2007.

JUDGMENT

The petitioner is challenging Ext.P14 issued by the Assistant Registrar by which he has declined to issue certificate pertaining to work in hand by the petitioner. The reason stated in Ext.P14 to decline certificate appears to be quite reasonable because petitioner does not appear to have completed all works in time successfully. However, petitioner's case is that the certificate required is only pertaining to pending works. It is not known whether the qualification in the tender condition issued by third respondent is only for pending work or for successful completion of works. Experience certificate necessarily has to be with reference to completed work and not for pending works. The first respondent is therefore directed to verify the accounts and certify the factual position i.e. present condition of the works undertaken by petitioner, partly or fully completed and balance pending and it is for the third respondent to consider the worth of the certificate. The first respondent is directed to verify and issue the certificate within ten days from the date on which petitioner produces the details and accounts before the first respondent along with copy of this judgment.

C.N.RAMACHANDRAN NAIR
Judge

pms